

761—163.7(315) Project activities eligible and ineligible for RISE funds.

163.7(1) *Eligible activities.* Project activities or costs eligible for RISE funding, and which may be counted as part of the non-RISE participation in immediate opportunity and local development roadway projects, include only the following:

- a.* Roadway resurfacing, rehabilitation, modernization, upgrading, reconstruction or initial construction, including grading and drainage, paving, erosion control, pavement overlays, and shoulder widening and stabilization.
- b.* Bridge and culvert repair, modernization, replacement or initial construction.
- c.* Roadway intersection and interchange improvements including warranted traffic signalization when it is integral to the improvement.
- d.* Right-of-way purchase.
- e.* Construction or improvement of motorist rest areas, welcome centers, and information centers.
- f.* Design engineering costs and construction inspection costs associated with RISE-financed projects.
- g.* County and city bond principal and interest payments associated with RISE projects. No financing expenses incurred prior to funding commitment shall be eligible.
- h.* Storm drainage and storm sewer costs to the extent needed for draining the roadway.

163.7(2) *Ineligible activities.* Activities or costs ineligible for RISE funding, and which may not be counted as part of the non-RISE participation in immediate opportunity or local development roadway projects, include but are not limited to the following:

- a.* Any and all costs incurred prior to a funding commitment by the commission except for advance right-of-way acquisition costs necessary to protect or preserve a project corridor. If there is an extreme urgency involving right-of-way acquisition, a potential applicant may formally request from the department written approval to acquire the right-of-way immediately without jeopardizing the eligibility of the acquisition costs for future RISE funding. Granting of this approval does not imply or guarantee that a subsequent application which includes the acquisition costs will be funded. The request must include justification regarding the urgency of the acquisition, a description of the land to be acquired, and a map showing its location. Approval to acquire right-of-way immediately must be requested from and granted by the department prior to the applicant's acquisition of the land in question. The RISE application which includes the acquisition costs must be received by the department within two years following the granting of this approval, or the approval is not valid.
- b.* Routine roadway, bridge and culvert maintenance, including pothole filling, crack sealing, seal coating, patching, shoulder maintenance, gravel or earth roadway maintenance, and bridge painting.
- c.* Winter roadway and bridge maintenance, including snow plowing, sanding, and salting.
- d.* Overhead and operating costs associated with eligible project activities, including auditing.
- e.* Expenses associated with the preparation and submission of applications for RISE funding.
- f.* Predesign engineering expenses.
- g.* Traffic signalization, except as an integral part of a roadway project.
- h.* Pavement marking and traffic signs, except as an integral part of a roadway project.
- i.* Electric, water, natural gas, telephone and other utility construction, reconstruction or adjustment except when utilities located on private property are replaced or relocated for project construction.
- j.* Safety appurtenances, except as an integral part of a roadway project.
- k.* Lighting, except as an integral part of a roadway project.
- l.* Lighting energy and maintenance costs.
- m.* Sidewalks, bicycle paths, and railroad-highway crossings, except when replacing those facilities in service and affected by the project, or as an integral part of a roadway project.
- n.* Parking expenditures, including those for structures, lots, meters, and marking.
- o.* Nonroadway transportation expenditures, including those for railway, aviation, public transportation, and inland waterway facilities and equipment.
- p.* Purchase of furnishings, construction equipment, and personal property.

q. General government expenses and expenses associated with the provision of any public service which are not eligible for RISE program assistance.

r. Sanitary sewers.

s. Water mains.

t. Donated right-of-way.